

Revenue Distribution Training Updates



December 2019

Training Agenda

Opening and Introduction

- Welcome
- Faculty introductions
- Training expectations and goals

Training Topics

Judicial Council

- 2019 Legislation of Interest
- Ability to Pay – Online Adjudication
- 2020 Uniform Bail and Penalty Schedules
- Futures Traffic Working Group
- Other Activities
 - Collections Update
 - Discharge from Accountability
 - Benchmarks



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Training Agenda

Training Topics

State Controller's Office

- Key Updates to Guidelines
- Listserv Notification
- Audit and Distribution Issues

Information Items

- **SAVE THE DATES!** Spring 2020 Revenue Distribution Training in April



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Training Goals

- Provide updates on recent legislation
- Identify changes to the Uniform Bail and Penalty Schedules, effective January 1, 2020
- Futures Traffic Working Group - Update
- Present information on collections and related reports
- Review changes to Trial Court Revenue Distribution Guidelines
- Provide an overview of audit findings related to distribution
- Hold the date for Spring 2020 training



Updates on Recent Legislation



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Court-Related Legislation 2019



November 2019

During the first year of the 2019–2020 Legislative Session, the Legislature and Governor enacted numerous bills that affect the courts or are of general interest to the legal community. Brief descriptions of the measures of greatest interest follow, arranged according to subject matter. Also included is a table summarizing new laws that create new crimes or expand existing crimes, as well as an index listing all the bills and the page numbers on which their descriptions can be found.

The effective date of legislation is stated with each measure. Urgency and budget measures normally take effect immediately upon enactment, and some other measures have delayed operative dates.

This *Summary* is intended to serve only as a guide to identify bills of interest; the bill descriptions are not a complete statement of statutory changes. Code section references are to the sections most directly affected by the bill; not all sections are necessarily cited.

Until the annual pocket parts are issued, bill texts can be examined in their chaptered form in *West's California Legislative Service* or *California Deering's Advance Legislative Service*, where they are published by chapter number. In addition, chaptered bills and legislative committee analyses can be accessed on the internet at <http://leginfo.legislature.ca.gov>. Individual chapters may be ordered directly from the Legislative Bill Room, State Capitol, 10th Street, Room B32, Sacramento, California 95814, 916-445-2323.

Court-Related Legislation 2019

APPENDIX E

2019 NEW AND EXPANDED CRIMES

BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	CODE SECTION(S)	SUMMARY DESCRIPTION OF NEW LAW
AB 128 (Gloria), CH. 765 <i>Effective/Operative Date: January 1, 2020</i> Equines: protection	CIV 1834.8; F&G 24106	Requires a written bill of sale or written instrument to be provided when any person purchases, consigns, sells, or accepts the donation of an animal at a public or private auction. Expands the crime of perjury by requiring a person who purchases an animal in these circumstances to sign a sworn statement, under penalty of perjury, acknowledging and agreeing to comply with the Prohibition of Horse Slaughter and Sale of Horsemeat for Human Consumption Act of 1998.
AB 164 (Cervantes), CH. 726 <i>Effective/Operative Date: January 1, 2020</i> Firearms: prohibited persons	PEN 29825	Expands the scope of an existing crime by prohibiting any person subject to a valid restraining order, injunction, or protective order issued out-of-state from possessing, receiving or purchasing, or attempting to possess, receive, or purchase a firearm in this state if the out-of-state order is equivalent in the prohibition against possessing, receiving, or purchasing a firearm.
AB 169 (Lackey), CH. 604 <i>Effective/Operative Date: January 1, 2020</i> Guide, signal, and service dogs: injury or death	PEN 600.2, 600.5	Changes the definition of a crime by deleting the requirement that the guide, signal, or service dog be in discharge of its duties when the injury or death occurs from certain crimes against guide, signal, or service dogs. Requires a defendant convicted of these crimes to also make restitution to the person for medical or medical-related expenses, or for loss of wages or income.
AB 189 (Kamlager-Dove), CH. 674 <i>Effective/Operative Date: January 1, 2020</i> Child abuse or neglect: mandated reporters: autism service personnel	PEN 11165.7	Expands the scope of a crime by providing that a qualified autism service provider, a qualified autism service professional, or a qualified autism service paraprofessional provider is a mandated reporter of known or suspected child abuse and neglect for the purposes of the Child Abuse and Neglect Reporting Act.



2019 Legislative Update

- 2019-20 Session so far:
 - 2,801 bills introduced
 - 863 bills Government Affairs tracking
 - 125 with Court Operations impact
 - 7 with impacts to revenues
 - Only 2 of 7 revenue bills will become law



2019 Legislative Update

AB 1076

- If funding is provided to DOJ, beginning Jan. 2021 must review their systems on a monthly basis to identify convictions eligible to have their records withheld from public disclosure.
- Revenue Impact: ambiguous language may require courts to eliminate all unpaid fines/fees associated with convictions granted relief.

AB 330

- Increases several civil fees by \$15 to fund the Sargent Shriver Civil Counsel Act program.
- Impacted fees include writs, issuing abstracts, deed acknowledgements and many more.
- Effective Jan. 2020



2019 Legislative Update

- But what about that other bill?
 - AB 927: Ability to Pay Determinations
 - Vetoed by Governor
 - AB 1310: TVS Payment Plans
 - 2 year bill
 - SB 144: CJS Fee Elimination
 - 2 year bill



SB 144 Challenges

- Advocates Claim...
 - These are unfair fees
 - Place burden of funding CJS on poor
 - Govt. doesn't collect these fees or they cost more to collect
- Court/County Issues
 - Limited reporting
 - Systems not configured to total by statute
 - GASB/GAAP focus
 - 58 systems
 - 58 separate fee choices



Legislative Update

Interested in following the progress of legislation?

Visit the courts website at:

<http://www.courts.ca.gov/4121.htm>

View Links for:

- Active Legislation, and/or
- Legislative Status Charts.

Check periodically to see how the bills you care about change over the course of the legislative session.

OR, visit California Legislative Information at:

<http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>



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Road Map

Uniform Bail and
Penalty Schedules

Dueñas Update

Ability to Pay and Online
Traffic Adjudication

Futures Traffic
Working Group Update

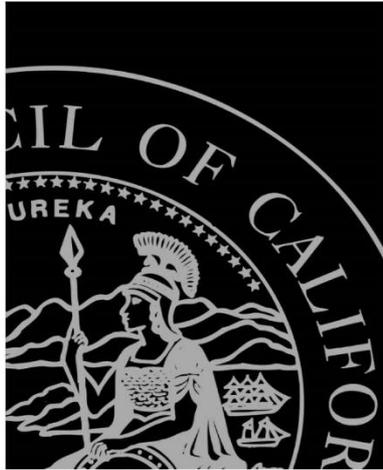


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Jamie Schechter, Attorney
Criminal Justice Services | Judicial Council of California



Uniform Bail and Penalty Schedules (UBPS)



Uniform Bail and Penalty Schedules

2020 EDITION

(Cal. Rules of Court, rule 4.102)

TRAFFIC
BOATING
FORESTRY
FISH AND GAME
PUBLIC UTILITIES
PARKS AND RECREATION
BUSINESS LICENSING



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What is bail?

“Regular” bail:

- Defendants generally have a right to be released from custody before trial.
- Cash bail or a secured bail bond is used to ensure that the defendant appears in court on their case.



Changes to the bail system?

August 2018
SB 10



November 2020
SB 10 Referendum



- SB 10 would change pretrial system to base release on assessment of risk rather than on bail
- Focus on public safety and appropriate pretrial release
- Legislation is on hold until November 2020 when voters will decide whether new risk-based system will go into effect



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Judicial Council's Action

Pretrial Reform and Operations Workgroup (PROW)

"This work group will help continue progress toward reform that benefits the branch, enhances public safety and promotes equitable treatment of all who come through our criminal justice system."



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Pretrial Updates

\$75 million

appropriated by legislature for Pretrial Pilot Program administered by Judicial Council.

16 pilot grants

awarded by PROW to 16 courts and their justice partners.

2 years

Pilots will operate for two years using risk assessment to inform judges' pretrial release decisions. Bail release is still available to defendants.



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Traffic Bail Under UBPS

- For certain offenses a penalty in the form of a **fine** can be “forfeited” and cancel the need for any further court proceedings (VC § 40512 emphasis added)
- Payment is treated as a conviction for the offense (VC §13103)



What UBPS Includes

Mandatory Schedule:

- traffic infractions



Suggested Base Fines:

- traffic misdemeanors
- boating
- forestry
- fish and game
- public utilities
- parks and recreation
- business licensing



Exceptions to the UBPS

The following counties may exceed the UBPS traffic infraction schedule:

1. Alpine
2. Amador
3. Butte
4. Calaveras
5. Contra Costa
6. Del Norte
7. Fresno
8. Humboldt
9. Kings
10. Lake
11. Lassen
12. Los Angeles
13. Madera
14. Mariposa
15. Mendocino
16. Modoc
17. Mono
18. Plumas
19. San Benito
20. San Diego
21. San Joaquin
22. Santa Clara
23. Sierra
24. Stanislaus
25. Sutter
26. Trinity
27. Tulare
28. Tuolumne
29. Yolo
30. Yuba



Traffic Infraction Schedule

Infraction Category	Severity of Offense	Base Fine
1	Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration and equipment offenses	\$25
2	Driver's license, operation of vehicle, and size and load offenses	\$35
3	Substance abuse infractions, VC 2818 (trespassing electronic beacon), VC 20004 (reporting deaths,) VC 21706.5 (operation of vehicle in emergency accident zone), VC 27375 (modified limousines)	\$70
4	Miscellaneous offenses for which the penalties or the fee for dismissal with proof of correction are specifically set by the Vehicle Code, speeding offenses (refer to Speed Chart), and infractions pursuant to PC 19.8	Depends



Total Bail for Infractions

Base Fine + Penalties & Surcharge + Fees = Total Bail

Category	Base Fine	Penalties & Surcharges	Fees	Total Bail/Fees
1	\$25	\$96	\$75	\$196
2	\$35	\$127	\$75	\$237
3	\$70	\$221	\$75	\$366
4	Depends on base fine			



Total Bail Cont'd.

Suggested minimum "Total Bail" for an offense not specifically listed in the following schedules, unless a California code or regulation specifies otherwise, are:

Type of Offense		Base Fine	Penalties & Surcharges	Fees	Total Bail/Fees
Traffic Misdemeanor		\$75	\$251	\$70	\$396
Public Utilities		\$185	\$588	\$70	\$843
Boating, Business Licensing, Fish & Game, Forestry, or Parks & Rec	Misdemeanor	\$100	\$310	\$70	\$480
	Infraction	\$35	\$123	\$75	\$233



Type	Code & Section	Formula	Use
State penalty assessment ("State PA")	Penal Code § 1464	\$10 assessment for every \$10 or part of \$10 fine	State penalty fund, goes to law enforcement training, restitution fund, etc.
County penalty assessment ("County PA")	Gov. Code § 76000	\$7 assessment for every \$10 or part of \$10 fine	County treasury
County and state DNA funds penalty assessment ("DNA PA")	Gov. Code §§ 76104.6, 76104.7	\$5 assessment for every \$10 or part of \$10 fine	DNA identification
State surcharge	Penal Code § 1465.7	20% of base fine	General fund
Emergency medical services penalty assessment ("EMS PA")	Gov. Code § 76000.5	\$2 assessment for every \$10 or part of \$10 fine	County emergency medical services
EMAT ("EMAT PA")	Gov. Code § 76000.10(c)(1)	\$4 assessment for every \$10 or part of \$10 fine	Emergency medical air transport
Court operations fee ("Court ops")	Pen. Code § 1465.8	\$40	Court operations
Criminal conviction assessment ("Conv. Assess")	Gov. Code § 70373	\$35	Maintain adequate funding for court facilities
Night or weekend court fee ("Night court") (optional by court)	Veh. Code § 42006	\$1	Night or weekend court program
Traffic assistance program ("TAP fee") (optional by court)	Veh. Code § 11205.2(c)	Varies, but cannot exceed actual court cost of traffic assistance program	Traffic assistance program



Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
5109	B	Transfer or Retention of Environmental Plates	25	0	7	5/10	5	20%	2	4	40	35	1	0	0	25	4a	0
5200	(a)	A Two License Plates–Display Specified	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5200	(a)	B Two License Plates–Display Specified	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5200	(b)	A One License Plate–Display Specified	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5200	(b)	B One License Plate–Display Specified	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5201	(a)(1-6)	A Plates Improperly Positioned	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5201	(a)(1-6)	B Plates Improperly Positioned	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5201	(b)	A Replace and Destroy Temporary License Plates Upon Receipt of Permanent License Plates	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5201	(b)	B Replace and Destroy Temporary License Plates Upon Receipt of Permanent License Plates	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5201	(c)	A Illegal License Plate Covering	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5201	(c)	B Illegal License Plate Covering	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5201	(d)	A Reading or Recognition of License Plate by an Electronic Device or Remote Emission Sensing Device Illegally Obstructed or Impaired	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5201	(d)	B Reading or Recognition of License Plate by an Electronic Device or Remote Emission Sensing Device Illegally Obstructed or Impaired	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5201.1	(a)	⁷ Sale of Prohibited Product or Device to Obscure License Plate	250	250	175	125	125	50	50	4	1029	40	35	1	0	1105	4a	0
5201.1	(b)	⁷ Operation of Vehicle With Prohibited Product or Device to Obstruct or Impair Reading or Recognition of License Plate by Electronic or Remote Emission Sensing Device	250	250	175	125	125	50	50	4	1029	40	35	1	0	1105	4a	0
5201.1	(c)	⁷ Erasing, Painting Over, or Altering Reflective Coating of License Plate	250	250	175	125	125	50	50	4	1029	40	35	1	0	1105	4a	0
5202	A	Period of Display of Plates Specified	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5202	B	Period of Display of Plates Specified	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5204	(a)	A Current Month and Year Tab Not Properly Attached	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5204	(a)	B Current Month and Year Tab Not Properly Attached	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5206	A	Present Certificate of Partial-Year Registration	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5206	B	Present Certificate of Partial-Year Registration	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5352	A	Failure to Maintain Annual Registration for Trailer Coach	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5352	B	Failure to Maintain Annual Registration for Trailer Coach	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5604		Noncompliance With Dealer Insurance Notification Requirements	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5753	(a-d)	Failure of Private Party to Deliver Certificate of Ownership and Registration Card to Transferee	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5753	(f)	Failure of Private Owner Upon Written Request to Disclose Pertinent Information Regarding Payment or Documents Required for Release	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5900	(a-c)	Notice of Sale/Transfer of Vehicle by Owners Required	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5902	A	Failure to Notify DMV of Transfer Within 10 Days	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
5902	B	Failure to Notify DMV of Transfer Within 10 Days	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
5906.5	(a,b)	Failure to Notify DMV of Mileage on Transfer of Vehicle	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
6700	(a-c)	A Failure to Register Within 20 Days of Specified Circumstances	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
6700	(a-c)	B Failure to Register Within 20 Days of Specified Circumstances	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0
8802	A	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
8802	B	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation	25	0	0	0	0	0	0	0	0	0	0	0	0	25	4a	0

2020 UBPS

About 40 changes

Based on:

- New legislation
- Suggestions from justice partners
- Technical changes



Significant 2020 UBPS Changes

- Revision of language on page IV regarding Emergency Medical Air Transportation (EMAT) penalty sunset date to comply with Assembly Bill 651 (Stats. 2019, ch. 537)



Significant 2020 UBPS Changes, cont.

- Veh. Code § 27150(a), Adequate Muffler Required to be Properly Maintained
- Veh. Code § 27151(a), Modification of Exhaust System Prohibited, Other than Motorcycle
- Modification of language on page VIII regarding prior convictions
- Veh. Code § 1680(a), Selling or Offering to Sell an Appointment with the DMV





Ability to Pay & Online Traffic Adjudication



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Phases

- **Phase 1:** Online Ability to Pay Determinations
- **Phase 2:** TBED and Other Added Functions



Phase 1: Ability to Pay Overview



- Litigant can...
 - Search for a citation
 - Enter basic financial information
 - Make requests
- Tool creates a queue for court review
- Calculator recommendation
- Judicial officer makes decision
- Tool returns decision to litigant as Court Order by email

Initial ATP Data

1,879 requests
1,361 litigants

Ventura, Shasta,
and Tulare

54% of litigants on
benefits

95% of litigants below
federal poverty line

514 requests for
community service with
22% approved



Initial ATP Data

Total Amount Owed

\$1,218,351

Average Amount Owed

\$649

**Total Owed *After*
Adjustment**

\$718,265

**Average Amount
Owed *After* Adjustment**

\$360



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Litigant Satisfaction



Not
helpful
<1%



Somewhat
unhelpful
1%



Somewhat
helpful
15%



Helpful
5%



Very
helpful
79%



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Phase 1

Phase 2

CMS Integration & New Functions

Tulare

March 2019

Shasta

April 2019

Ventura

August 2019

San Francisco

December 2019

**Fresno, Monterey,
and Santa Clara**

Spring 2020



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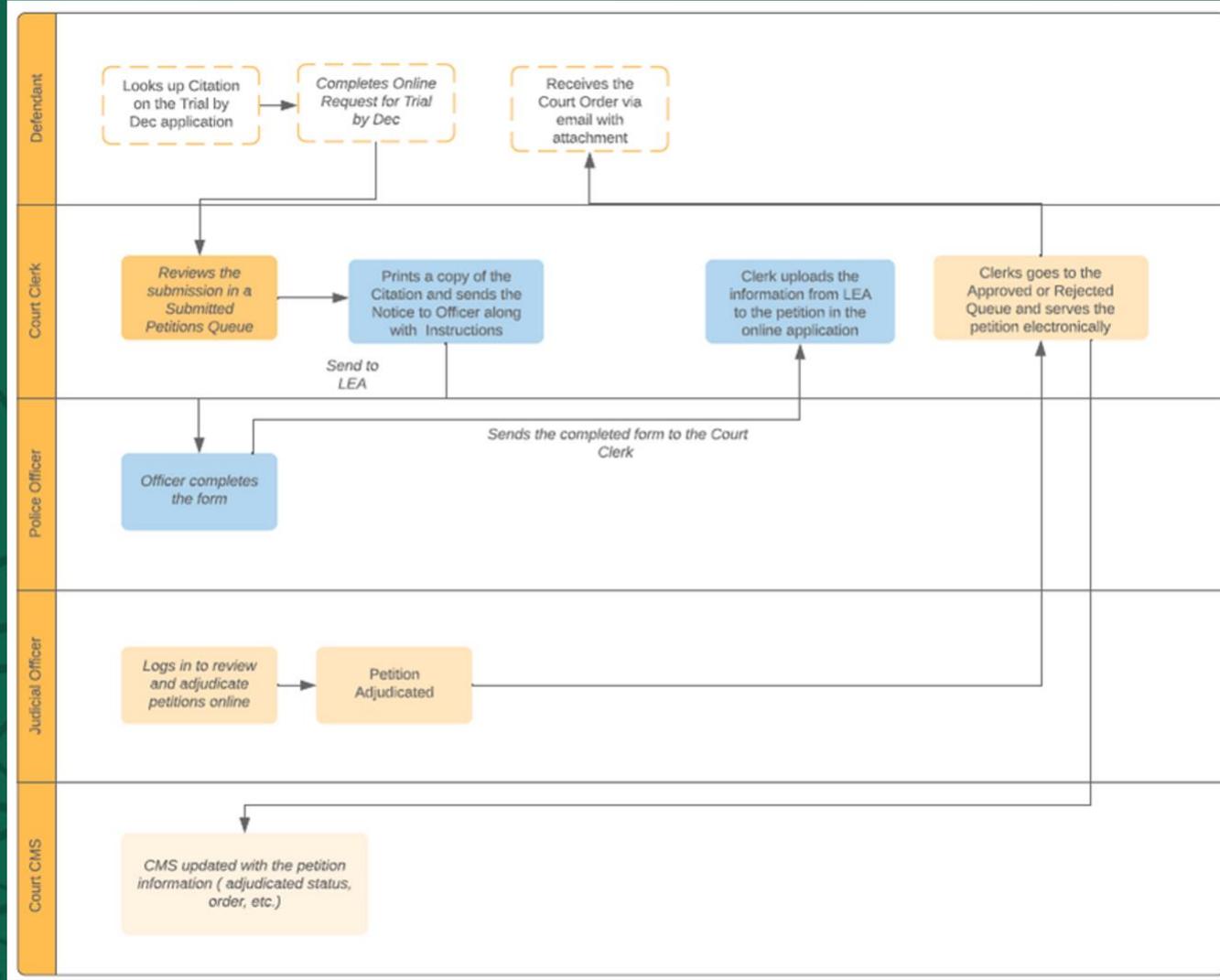
Phase 2: New Functions

- Two-way CMS integration
- New functions
 - Trailer Bill Legislation FY18-19
 - ATP determination + 3 of the following:
 - Post and forfeit bail
 - Request to forfeit bail in installments
 - Request an online trial (TBED)
 - Request a continuance
 - Request a date to appear in court



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Trial by Electronic Declaration (TBED)





Dueñas Update

Dueñas

- On January 8, 2019, the Court of Appeal decided *People v. Dueñas*, (2019) 30 Cal.App.5th 1157 (*Dueñas*).



Dueñas, cont.

- *Dueñas* held that due process requires a trial court to determine a defendant's ability to pay before imposing the court operations and court facilities assessments.



Dueñas, cont.

- The court also held that the restitution fine under Penal Code section 1202.4 must be stayed *"until and unless the People demonstrate that the defendant has the ability to pay the fine."*



Dueñas, cont.

- Other appellate cases have questioned or limited the *Dueñas* decision.
- Recently, the California Supreme Court has granted review in *People v. Kopp* (2019) 38 Cal. App. 5th 47.





The Futures Traffic Working Group (FTWGW)

FTWG: Charge

Recommended changes to:

"improve access to justice, increase criminal court efficiency and effectiveness, and address the potentially disproportionate negative consequences of minor criminal violations."

REPORT TO THE
CHIEF JUSTICE

COMMISSION
ON THE
FUTURE OF
CALIFORNIA'S
COURT
SYSTEM

2017



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FTWG: Charge, cont.

The Chief formed FTWG to develop a proposal to implement and evaluate a civil model for adjudication of minor vehicle infractions.



FTWVG: Charge, cont.

- Pursuant to the charge, the FTWVG developed a comprehensive legislative proposal for a model of civil adjudication of traffic infractions.
- It went out for public comment in the summer of 2019.



FTWG: Charge, cont.

- Based on feedback received, the current suggestion is to revise draft legislation, keeping infractions criminal, but utilizing parts of the proposal that received support.



FTWG: Timeline

- A new, revised proposal may circulate in the spring of 2020, making reforms within the existing criminal system.





Additional Resources

- Judicial Council Bail Schedules:
<http://www.courts.ca.gov/7532.htm>
- To follow the work of the Futures Traffic Working Group, please visit:
<http://www.courts.ca.gov/37510.htm>



Contact

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Collections Activities

- Assembly Bill 1818
- 2018-19 Statewide Collections
- Discharge from Accountability
- Benchmarks and Performance Measures Study Update



Assembly Bill 1818

Amended:

- Government Code section 68514
- Penal Code section 1463.010

Consolidated Reporting:

- ONE Collections Reporting Template, due September 1
- ONE Report to the Legislature, due December 31



2018-19 Collections

- \$1.4B collected:
 - \$859.1M nondelinquent (forthwith) accounts
 - \$542.9M collected from delinquent accounts
- \$110.4M recovered costs
- \$354.5M adjustments
- \$452.4M discharged from accountability
- \$10.6B outstanding delinquent debt

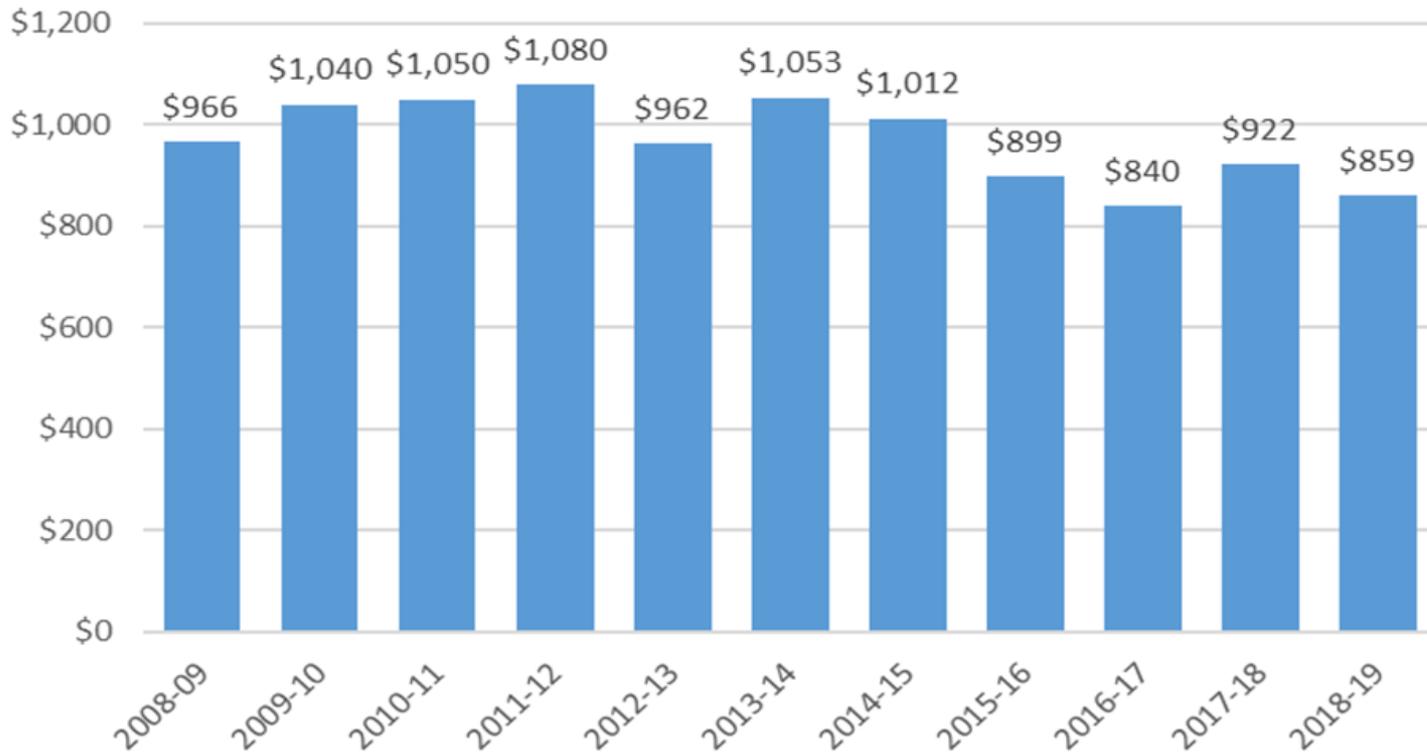
Report on Statewide Collection of Delinquent Court-Ordered Debt for 2018-19



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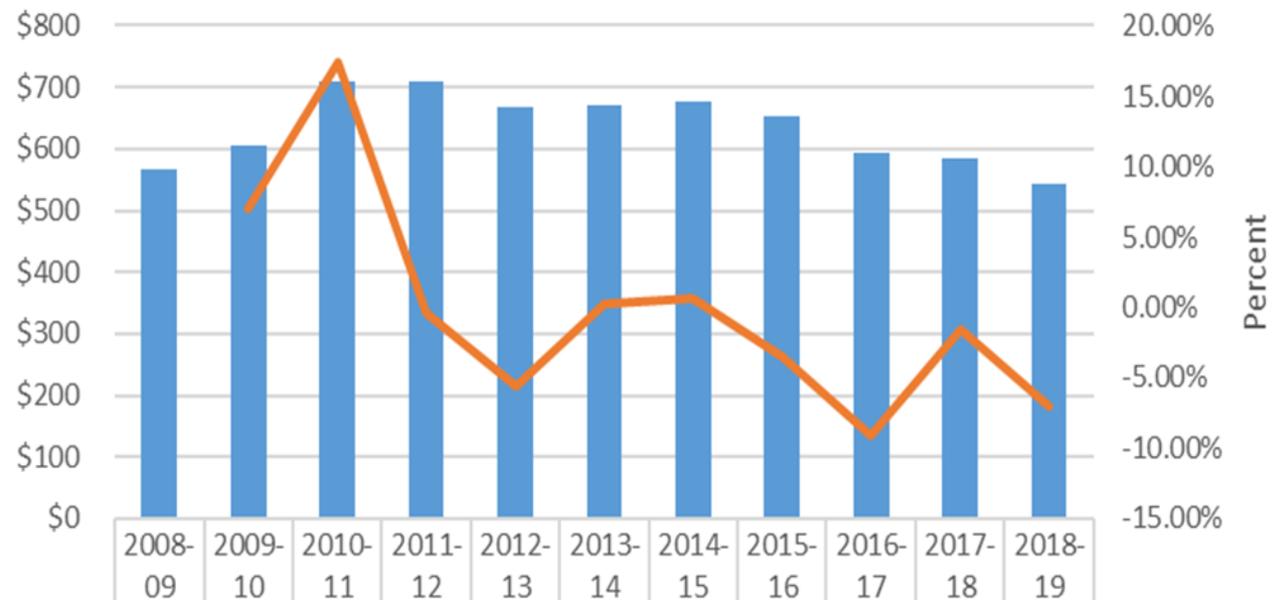
Nondelinquent Collections

Nondelinquent (Forthwith) Collections
2008-09 through 2018-19



Delinquent Collections

Delinquent Debt Collections
2008-09 through 2018-19
(In Millions)

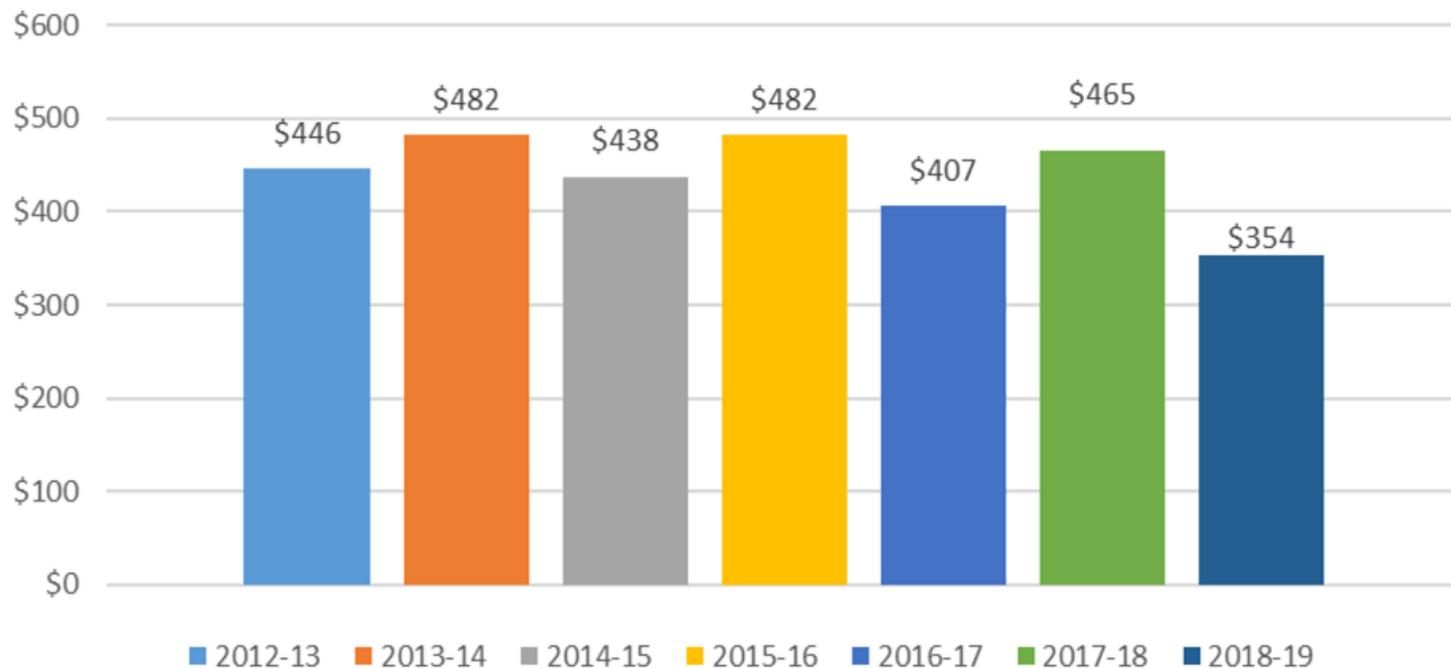


 Delinquent Revenue	565.5	605.4	710.4	708.0	668.8	670.9	675.3	652.0	592.7	583.5	542.9
 % Year over Year Change		7.06%	17.34%	-0.34%	-5.54%	0.31%	0.66%	-3.45%	-9.10%	-1.55%	-6.96%



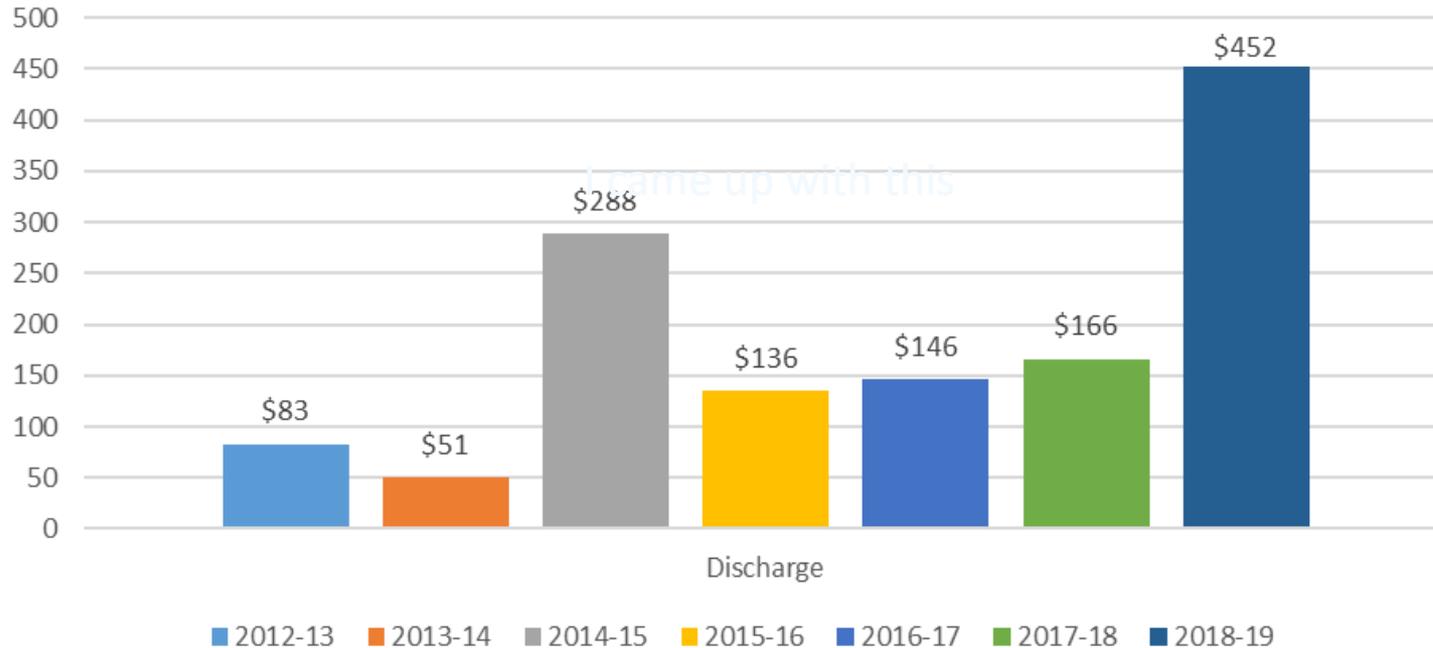
Court-ordered Adjustments

Court-Ordered Adjustments
2012-13 through 2018-19
(In millions)



Delinquent Debt Discharged

Outstanding Balance Discharged from Accountability
2012-13 through 2018-19
(in Millions)



...and here's a chart that shows what you might see if you looked at a mountain range through a tennis racket.



CRT: Data Errors

- Duplicate records
- Blank cells
- Outdated information
- Incorrect information



A collection of colorful cleaning supplies is arranged around a central orange bucket. The items include a blue spray bottle, a yellow bottle with a red cap, a green bottle, a pink spray bottle, a blue spray bottle, a blue sponge, a green sponge, a stack of three sponges (blue, green, orange), a black brush with a light blue handle, a black brush with a white handle, and a pair of green gloves. The text "IS YOUR DATA CLEAN?" is overlaid in the center of the image.

IS YOUR DATA CLEAN?

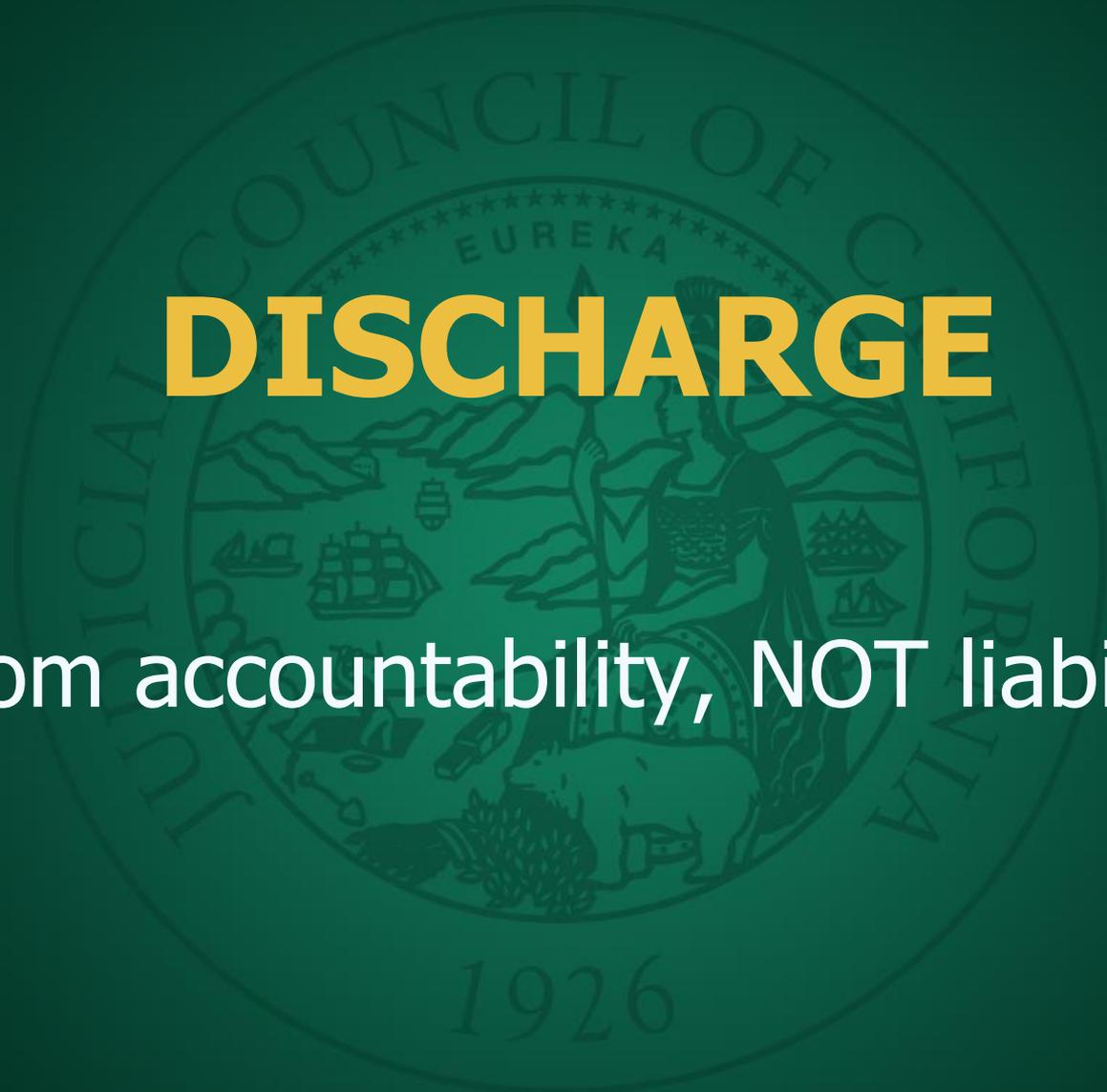
Data Cleanse

- Reprogram system(s)
- Develop report(s)
- Clarify/simplify reporting instructions
- Revamp reporting tools/training





"This is not what I meant when I said 'we need better data cleansing!'"

The background of the slide features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top and "1926" at the bottom. In the center, there is a figure holding a scale of justice, with the word "EUREKA" above it. The seal also depicts a landscape with mountains, a ship, and a bear.

DISCHARGE

from accountability, NOT liability

What is discharge from accountability?

- Recognizes that some debt is uncollectible.
- Responsible collecting entity is relieved from any further responsibility for collecting the discharged debt.
- *However, the individual is still liable for payment of any amount owed to the court.*



Why discharge debt?

To provide the courts, counties and Legislature an accurate accounting of how much collectible court-ordered debt is outstanding.

To stop devoting resources to pursuing bad, uncollectible debt.



Who can discharge debt?

Government Code sections [25257](#) and [25259.7](#) authorize the collecting entity, whether county or court, to apply for a discharge for accountability of debt in certain circumstances.



When should debt be discharged?

- The balance is too small to justify the cost of collection; or
- The likelihood of collection does not warrant the expense involved.
- For example, when the debt is too old and/or the debtor is deceased.



How is debt discharged?

On authority of the presiding judge;
the board of supervisors;
or both.

*Depending on which entity collects
the debt.*



Application

- Total amount owing;
- Names of individuals liable for debt;
- Estimated cost of collection or a statement if the likelihood of collection does not warrant expense involved; and
- Other relevant information that justifies the discharge.



Discharge Report

Within 45 days of discharge, court and county inform each other:

- Case number;
- Case type;
- Amount discharged; and
- Number of years since the debt became delinquent.



Recap

- Collections programs have express authority to discharge.
- Discharge from accountability is not release from liability.
- Reporting uncollectible debt gives the wrong impression.

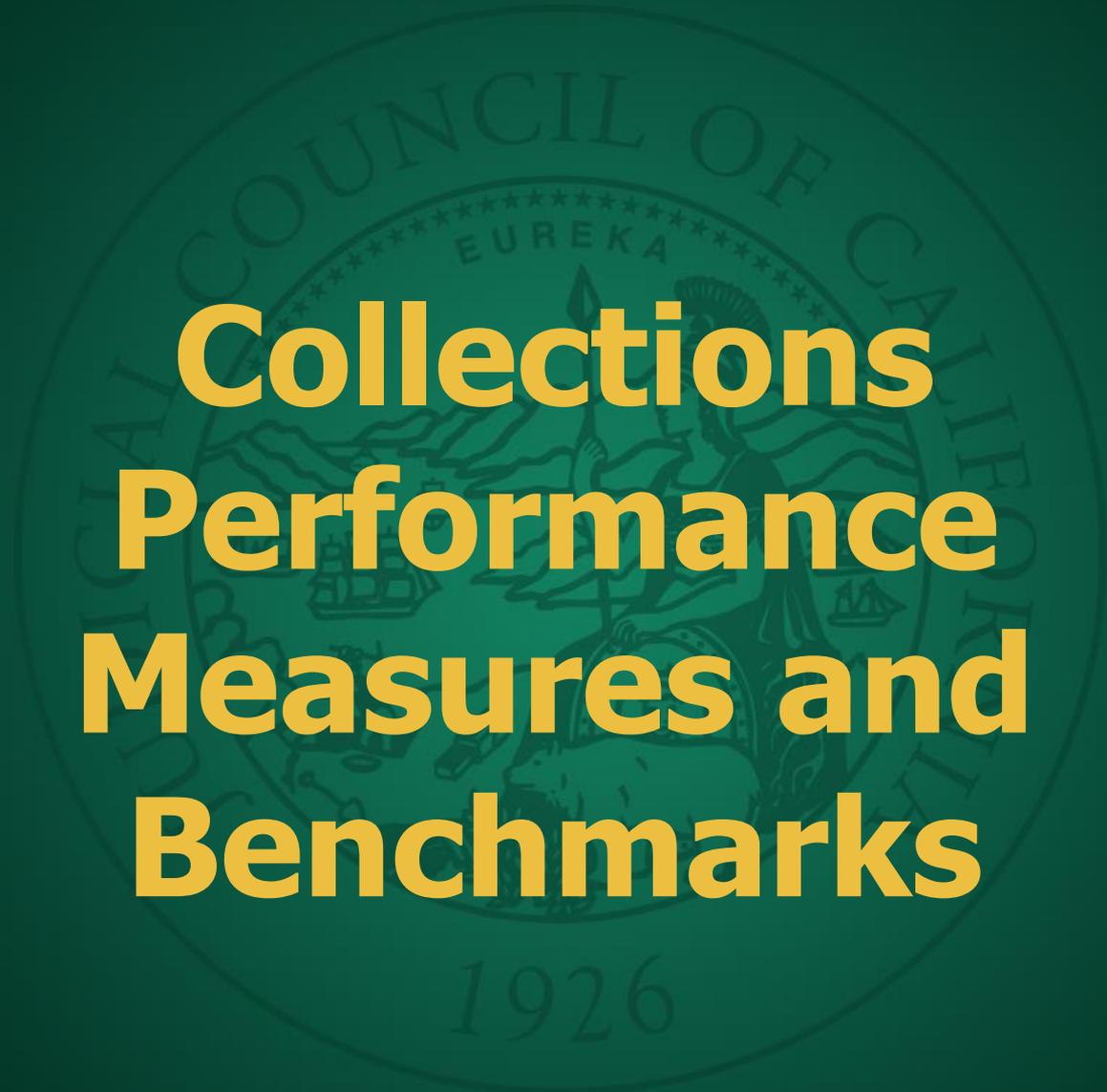


Resources

- Detailed information:
<http://www.courts.ca.gov/partners/455.htm>
- Revenue and Collections Unit:
collections@jud.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA



Collections Performance Measures and Benchmarks

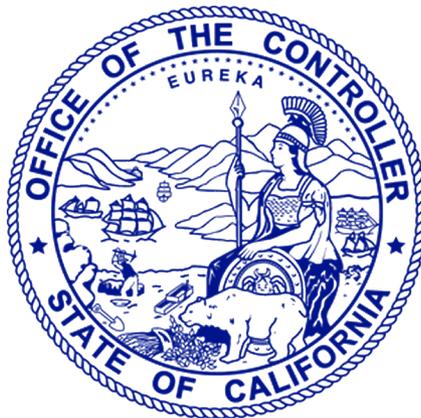


Benchmarking Process:

- **Planning:** Forrester Inc., consulting services
- **Data collection:** 2017-18 and 2018-19 CRTs and SME interviews
- **Data Analysis:** CRT and individual program information
- **Implementation Plan:** Justice partners buy-in, roll out metrics and benchmarks (2020-21), revised CRT?
- **Monitor performance:** individual program and/or statewide level?



Trial Court Revenue Distribution Training December 2019



BETTY T. YEE
California State Controller

Introduction

Trial Court Revenue Distribution Guidelines

- Sandeep Singh, Manager of Local Government Policy

Common Audit Findings

- Chris Ryan, Manager of Court Revenue

If you have any questions related to trial court revenue distribution, please email LocalGovPolicy@sco.ca.gov.



BETTY T. YEE
California State Controller

Overview of SCO Guidance

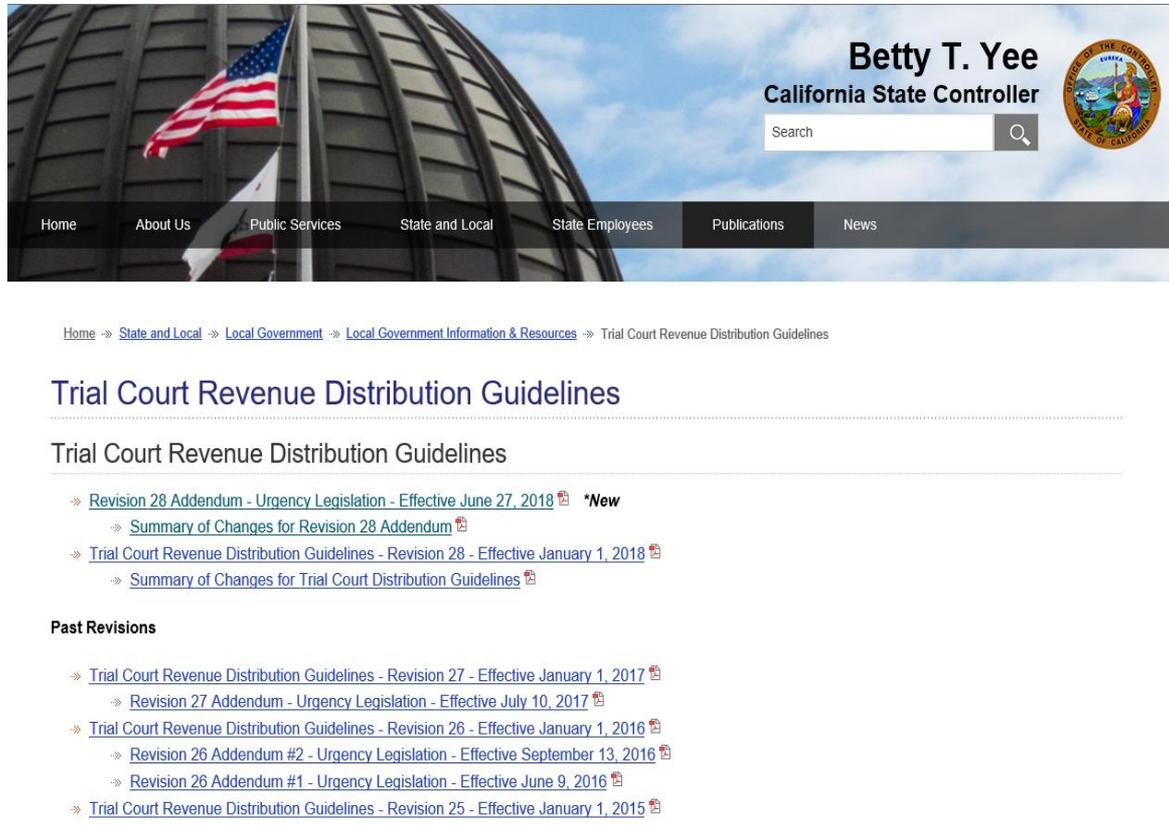
- Key Legislative Updates to *Trial Court Revenue Distribution Guidelines*, to be published in Revision 30
- TC-31 Submission
- Listserv Notifications
- SCO Court Revenue Audits



BETTY T. YEE
California State Controller

SCO Trial Court Website

The Trial Court Revenue Distribution Guidelines can be found at:
http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html



The screenshot shows the website header for Betty T. Yee, California State Controller. The header includes a search bar and a navigation menu with links for Home, About Us, Public Services, State and Local, State Employees, Publications, and News. The main content area displays the breadcrumb trail: Home → State and Local → Local Government → Local Government Information & Resources → Trial Court Revenue Distribution Guidelines. The title is "Trial Court Revenue Distribution Guidelines". Below the title, there are two main sections: "Trial Court Revenue Distribution Guidelines" and "Past Revisions".

Home → State and Local → Local Government → Local Government Information & Resources → Trial Court Revenue Distribution Guidelines

Trial Court Revenue Distribution Guidelines

Trial Court Revenue Distribution Guidelines

- [Revision 28 Addendum - Urgency Legislation - Effective June 27, 2018](#) ***New**
 - [Summary of Changes for Revision 28 Addendum](#)
- [Trial Court Revenue Distribution Guidelines - Revision 28 - Effective January 1, 2018](#)
 - [Summary of Changes for Trial Court Distribution Guidelines](#)

Past Revisions

- [Trial Court Revenue Distribution Guidelines - Revision 27 - Effective January 1, 2017](#)
 - [Revision 27 Addendum - Urgency Legislation - Effective July 10, 2017](#)
- [Trial Court Revenue Distribution Guidelines - Revision 26 - Effective January 1, 2016](#)
 - [Revision 26 Addendum #2 - Urgency Legislation - Effective September 13, 2016](#)
 - [Revision 26 Addendum #1 - Urgency Legislation - Effective June 9, 2016](#)
- [Trial Court Revenue Distribution Guidelines - Revision 25 - Effective January 1, 2015](#)

Updates due to Legislation

The codes on the following slide have been added or amended in 2019, and will become effective January 1, 2020.

They will be included in the forthcoming Revision 30 of the *Trial Court Revenue Distribution Guidelines*.

Updates due to Legislation, cont.

Added, Amended Or Removed	Code Section	Description
Added	CC 1798.99.82	Requires data brokers to register with the Attorney General (AG), requires the AG to create a publicly available registry of data brokers on its website, and grants enforcement authority for violations of these requirements to the AG.
Added	ELEC 18503	An employer who violates Section 14004 shall be subject to a civil fine of up to ten thousand dollars (\$10,000) per election.
Added	F&A 30526	Requires a public or private shelter or a rescue group to disclose a known dog bite that resulted in a state-mandated bite quarantine prior to selling, giving away, or otherwise releasing the dog.
Added	F&G 2023	Makes it unlawful to sell, offer for sale, display for sale, trade or otherwise distribute for monetary or nonmonetary consideration a fur product in the state, or to manufacture a fur product in the state for sale, with specified exceptions.
Amended	GC 70626	Increases fees on specified court filings by \$15 in order to fund an expansion of legal representation for low-income litigants

Updates due to Legislation, cont.

Added, Amended Or Removed	Code Section	Description
Amended	GC 76000.10	Emergency Medical Air Transportation Act penalties shall terminate on July 1, 2020. Penalties assessed before July 1, 2020, shall continue to be collected, administered, and distributed pursuant to this section until exhausted or until December 31, 2021, whichever occurs first.
Amended	H&S 25215.7	H&S 25215.7 was renumbered to read H&S 25215.82.
Added	PC 489	Makes the theft of agricultural equipment in excess of \$950 grand theft punishable as an alternate felony misdemeanor.
Added	PC 600.2	Expands the crime of causing injury to, or the death of, any guide, signal, or service dog, and adds the medical expenses and lost wages of the owner to the existing list of recoverable restitution costs.
Amended	PC 600.5	Expands the crime of causing injury to, or the death of, any guide, signal, or service dog, and adds the medical expenses and lost wages of the owner to the existing list of recoverable restitution costs.
Added	PRC 42372	Prohibits lodging establishments from providing small plastic bottles. Effective January 1, 2023 – for establishments with more than 50 rooms. Effective January 1, 2024 – for establishments with less than 50 rooms.

Updates due to Legislation, cont.

Added,
Amended
Or Removed

Code Section Description

Added	PUC 2893.2	Prohibits an individual from using false government information in a caller identification system (Caller ID) with the intent to mislead, cause harm, deceive, or defraud the recipient of a call, and imposes a civil penalty of up to \$10,000 for each violation.
Added	UIC 2117	Any person who, with or without intent to evade any requirement pursuant to UIC 2101-2129. A civil penalty of \$1,000, and is also guilty of a misdemeanor.
Added	UIC 2122.5	A fine imposed by the court for Unemployment compensation violations.

TC-31 Submission

Remittance to the State Treasurer (TC-31) forms can be found at

http://www.sco.ca.gov/Files-ARD-Local/Remittc_tc31.xlsx

COM MONTH		FURNISHANCE ADVISE NUMBER			
		CO _____			
REPORT TO STATE CONTROLLER OF REMITTANCE TO STATE TREASURER - TC-31 COUNTY NAME - NUMBER: _____ / _____ COLLECTIONS FOR THE MONTH OF (MM / YY): _____ / _____					
FUND	AGENCY	OFFICE/SECTION/LOCATION	REV CODE	AMOUNT	CODE SECTION & DESCRIPTION
0 0 0 1	0 2 5 0		1 6 1 4 0 3		General Fund - Penal Code 1468.7; AB 3000 - 20% surcharge on criminal fines
0 0 0 1	0 8 2 0		1 3 1 5 0 0		General Fund - Health & Safety 11372.6 - Criminalistics Lab Fee; Health & Safety 11502 - State Fines
0 0 0 1	9 9 9 0		1 3 0 9 0 1		General Fund - Penal Code 290.3 - First Conviction
0 0 0 1	9 9 9 0		1 3 0 9 0 2		General Fund - Penal Code 290.3 - Second & Subsequent Convictions
0 0 0 1	9 9 9 0		1 6 0 5 0 0		General Fund - Health & Safety 11489 - Asset Forfeitures (24%)
0 0 0 1	9 9 9 0		1 6 4 0 0 0		General Fund - Penal Code 1463.22(c) - Uninsured Motorist (\$10 Conviction)
0 0 0 1	9 9 9 0		1 6 4 2 0 1		General Fund - Vehicle Code 40222(d)
0 0 0 1	9 9 9 0		1 6 4 3 0 1		General Fund - Health & Safety 105267 - State penalty on lead abatement fines
0 0 4 4	2 7 4 0		1 1 4 3 0 0		Motor Vehicle Account - Vehicle Code 11208(c); AB 2499 - Traffic violator school (\$3 Certificate of Completion fee)
0 0 4 4	2 7 4 0		1 6 4 0 0 0		Motor Vehicle Account - Penal Code 1463.22(b) - Uninsured motorists (\$3 convictions)
0 1 0 2	3 5 4 0		1 2 5 2 0 0		State Fire Marshall Lic/Cert Fund - Health & Safety 12105 - Explosive Permit Fee
0 1 5 9	0 2 5 0		1 6 4 6 0 2		Trial Court Improvement Fund - Government Code 68090.8 - 2% Automation
0 1 5 9	0 2 5 0		1 6 4 6 0 3		Trial Court Improvement Fund - GO 7205 - 50% Excess
0 2 0 0	3 6 0 0		1 2 5 6 0 0		Fish & Game Preservation Fund - Fish & Game 711.4 - Environmental Document Filing Fees
0 2 0 0	3 6 0 0		1 3 1 0 0 0		Fish & Game Preservation Fund - Fish & Game 13003 - Fish & Game Preservation Fund
0 2 0 0	3 6 0 0		1 3 1 3 0 0		Fish & Game Preservation Fund - Fish & Game 12021, 13005 - Secret Witness Program
0 2 1 4	7 8 7 0		1 3 0 8 0 0		Restitution Fund - Penal Code 1202.4, W&M 730.8
0 2 1 4	7 8 7 0		1 3 0 8 0 3		Restitution Fund - Penal Code 1001.90 - Diversion Restitution Fee
0 2 1 4	7 8 7 0		1 3 0 8 0 6		Restitution Fund - Penal Code 1202.44 - Conditional Sentence Restitution Fines
0 2 1 4	7 8 7 0		1 6 4 4 0 0		Restitution Fund - Penal Code 1463.18 - DUI Fines
TOTAL					
TO STATE CONTROLLER: I hereby certify that the foregoing report, as it relates to the agency/ represent, is a correct statement of the State's share of collections deposited for the month stated above in accordance with Section 60101 of the Government Code. Remittance has been made to the State Treasurer.					STATE TREASURER'S ENDORSEMENT
DATE: _____					
OFFICIAL TITLE: _____ SIGN: _____					

TC-31 Submission, cont.

Please submit your TC-31s to:

OR

State Treasurer
Cash Management Division
915 Capitol Mall, Room 319
Sacramento, CA 95814

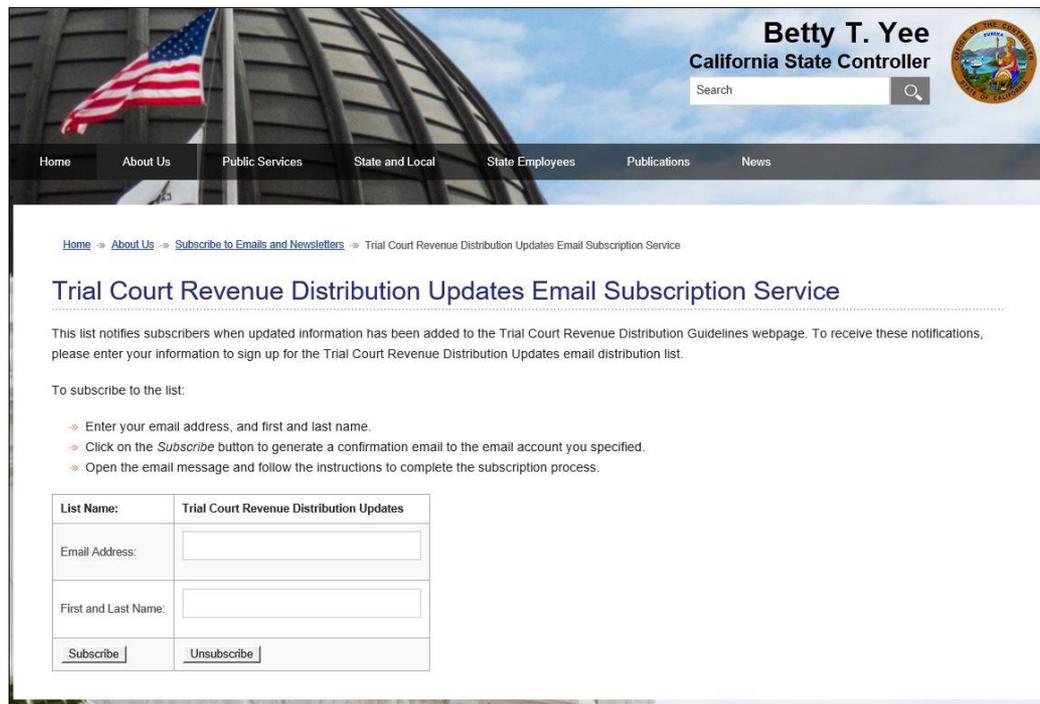
State Treasurer
Cash Management Division
P.O. Box 942809
Sacramento, CA 94209-0001

NOT to the State Controller's Office.

Note that the TC-31s include only the most commonly used codes. For remittances to funds not listed on the form, please email mdelfin@sco.ca.gov and/or wcutajar@sco.ca.gov and they will be happy to assist you.

Listserv Notifications

To receive automatic notification of updates to the *Guidelines*, including Urgency Legislation updates, please visit our website at: http://www.sco.ca.gov/ard_trial_courts_notification_email.html



The screenshot shows the website of Betty T. Yee, California State Controller. The header includes the controller's name and title, a search bar, and the state seal. A navigation menu lists: Home, About Us, Public Services, State and Local, State Employees, Publications, and News. The main content area features a breadcrumb trail: Home > About Us > Subscribe to Emails and Newsletters > Trial Court Revenue Distribution Updates Email Subscription Service. The page title is "Trial Court Revenue Distribution Updates Email Subscription Service". Below the title, a paragraph explains that the list notifies subscribers of updates to the Trial Court Revenue Distribution Guidelines webpage and asks users to enter their information to sign up. A section titled "To subscribe to the list:" contains three bullet points: 1. Enter your email address, and first and last name. 2. Click on the *Subscribe* button to generate a confirmation email to the email account you specified. 3. Open the email message and follow the instructions to complete the subscription process. At the bottom, there is a form with the following fields: "List Name:" with the value "Trial Court Revenue Distribution Updates"; "Email Address:" with an empty text box; "First and Last Name:" with an empty text box; and two buttons: "Subscribe" and "Unsubscribe".

Betty T. Yee
California State Controller

Search

Home About Us Public Services State and Local State Employees Publications News

Home > About Us > Subscribe to Emails and Newsletters > Trial Court Revenue Distribution Updates Email Subscription Service

Trial Court Revenue Distribution Updates Email Subscription Service

This list notifies subscribers when updated information has been added to the Trial Court Revenue Distribution Guidelines webpage. To receive these notifications, please enter your information to sign up for the Trial Court Revenue Distribution Updates email distribution list.

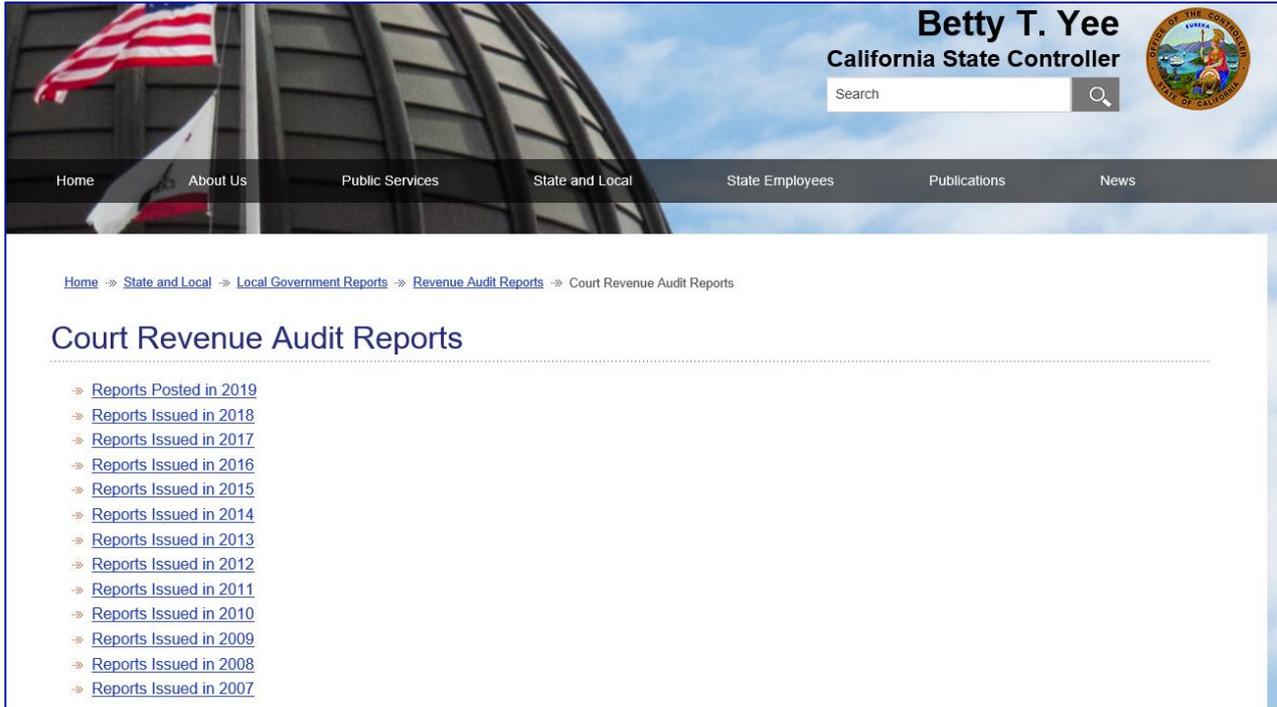
To subscribe to the list:

- Enter your email address, and first and last name.
- Click on the *Subscribe* button to generate a confirmation email to the email account you specified.
- Open the email message and follow the instructions to complete the subscription process.

List Name:	Trial Court Revenue Distribution Updates
Email Address:	<input type="text"/>
First and Last Name:	<input type="text"/>
<input type="button" value="Subscribe"/>	<input type="button" value="Unsubscribe"/>

SCO Court Revenue Audits

Court Revenue Audit Reports can be found at:
http://www.sco.ca.gov/aud_court_revenues.html



The screenshot displays the website for Betty T. Yee, California State Controller. The header includes the controller's name and title, a search bar, and the official seal of the Office of the Controller, State of California. A navigation menu lists: Home, About Us, Public Services, State and Local, State Employees, Publications, and News. The breadcrumb trail is: Home → State and Local → Local Government Reports → Revenue Audit Reports → Court Revenue Audit Reports. The main content area is titled "Court Revenue Audit Reports" and contains a list of links for reports issued from 2007 to 2019.

Betty T. Yee
California State Controller

Search

OFFICE OF THE CONTROLLER
STATE OF CALIFORNIA

Home About Us Public Services State and Local State Employees Publications News

[Home](#) → [State and Local](#) → [Local Government Reports](#) → [Revenue Audit Reports](#) → Court Revenue Audit Reports

Court Revenue Audit Reports

- [Reports Posted in 2019](#)
- [Reports Issued in 2018](#)
- [Reports Issued in 2017](#)
- [Reports Issued in 2016](#)
- [Reports Issued in 2015](#)
- [Reports Issued in 2014](#)
- [Reports Issued in 2013](#)
- [Reports Issued in 2012](#)
- [Reports Issued in 2011](#)
- [Reports Issued in 2010](#)
- [Reports Issued in 2009](#)
- [Reports Issued in 2008](#)
- [Reports Issued in 2007](#)

Court Revenue Audits

Status of Audits

- Final reports issued: 10
- Reports in process: 4
- Audits in progress: 7
- Next in queue:

<input type="radio"/> San Francisco County	<input type="radio"/> Santa Cruz County
<input type="radio"/> Sonoma County	<input type="radio"/> Tehama County
<input type="radio"/> Monterey County	<input type="radio"/> San Joaquin County

Information as of November 1, 2019

Court Revenue Audits

Common Findings

- Errors in calculation of the 50% excess of qualified revenues
- Incorrect distribution of Emergency Medical Air Transportation penalties for red-light violations and violations involving traffic violator school fees
- Unremitted parking surcharges and penalties

SCO Distribution Contact Information

If you have any questions related to trial court
revenue distribution, please email

LocalGovPolicy@sco.ca.gov



BETTY T. YEE
California State Controller

Save The Dates!

8th Annual Revenue Distribution Training

- Dates and locations:
 - April 9 and 23, Sacramento
 - April 28 in San Diego



- What do you want to see/learn?

Send suggestions to RevenueDistribution@jud.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA

Resources and Links

State Controller's Office:

Revenue Distribution home page

https://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html

California Courts:

Collections and Revenue Distribution home page

<http://www.courts.ca.gov/partners/collections.htm>

<http://www.courts.ca.gov/revenue-distribution.htm>

2020 Uniform Bail & Penalty Schedules

<http://www.courts.ca.gov/7532.htm>

Court-related legislation

<http://www.courts.ca.gov/4121.htm>



JUDICIAL COUNCIL
OF CALIFORNIA

Public Mailboxes

**Judicial Council,
Funds and Revenues Unit**

revenuedistribution@jud.ca.gov

**State Controller's Office,
Local Government Programs and Services Division**

LocalGovPolicy@sco.ca.gov

**Franchise Tax Board,
COD and IIC Programs**

CODClientServices@ftb.ca.gov

iicgroup@ftb.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA

Survey

A cartoon monkey with a friendly expression, large eyes, and a wide smile. It has brown fur and a light tan face. A green speech bubble is positioned to its left, containing the text 'Please click here to take a survey!'.

Please click
here to take
a survey!

<https://www.surveymonkey.com/r/Dec2019WebEx>



JUDICIAL COUNCIL
OF CALIFORNIA

The End

Thank you!



JUDICIAL COUNCIL
OF CALIFORNIA